

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Applicants: TILLEY, Michael J. and CLARK, Douglas Linc
Title of Invention: Fastener Starting Tool
Filed: Herewith
Serial Number: N/A
Atty Docket No.: 309-002

PETITION for UNSIGNED INVENTOR UNDER 37 CFR §1.47

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

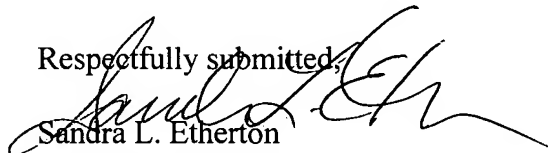
Dear Sir:

Applicant requests a filing date for the accompanying patent application despite the lack of signature on the declaration by one of the co-inventors, namely Douglas Linc Clark. This petition and its attached exhibits set forth the facts of the inventor's refusal to join the application, even after a diligent effort was made to obtain his signature. In sum:

1. The first-named inventor, Michael J. Tilley requested that Mr. Clark join in this patent application numerous times. See attached Exhibit A. Mr. Clark has refused to sign the application because he says he is unwilling to share the costs and benefits of pursuing the invention, including patenting, manufacturing and sales.
2. The undersigned attorney sent a copy of the application papers by certified mail to the known current address of Mr. Clark, along with a letter explaining what he was being asked to sign. See Exhibit B. The copy of the papers was not claimed by Mr. Clark by December 2, 2003, in effect rejecting the application. The unsigned inventor has not responded to the undersigned attorney or to Mr. Tilley.

The co-inventor's conduct constitutes a refusal to sign the declaration. The Applicant requests that the accompanying patent application be accepted as complete and allowed to proceed to examination.

Respectfully submitted,



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